

REMARKS

By this amendment, Applicant has amended claims 1 and 8. As a result, claims 1-22 remain pending in this application. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicant does not acquiesce in the correctness of the objections and rejections and reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-17 are rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. In response, Applicant has amended claims 1 and 8 to expressly state that the method is a computer-implemented method. As such, the claimed invention is clearly directed to statutory subject matter. As a result, Applicant respectfully requests withdrawal of the rejection of claims 1-17 as allegedly being directed to non-statutory subject matter.

Further, claims 1-6 and 8-22 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2003/0069002 (Hunter). In order to maintain a proper rejection under 35 U.S.C. § 102(e), the Office must show that each and every feature of the claimed invention is either expressly or inherently described in Hunter in as complete detail as contained in the claim. MPEP § 2131. Since Hunter fails to describe each and every feature of the claimed invention, Applicant respectfully requests withdrawal of the rejection of claims 1-6 and 8-22 as allegedly being anticipated by Hunter.

With respect to claim 1, Applicant respectfully submits that Hunter fails to disclose, *inter alia*, Applicant's claimed obtaining occupant information step. For example, the claimed

occupant information includes both a name of the occupant and contact information for the occupant. Hunter fails to disclose such occupant information. As a result, Applicant respectfully requests withdrawal of the rejection of claim 1 and claims 2-6, which depend therefrom, as allegedly being anticipated by Hunter.

With respect to claim 2, Applicant respectfully submits that Hunter fails to disclose, *inter alia*, the claimed obtaining a hierarchical representation of the building step. Interpreting Hunter only for the purposes of this response, Applicant notes that Hunter merely states that a building can include upper floors and lower floors (Paragraph 56) or multiple units (Paragraph 131). In fact, Hunter's only reference to a hierarchy is with respect to the communications architecture (Paragraphs 131-132). Applicant respectfully submits that a hierarchical communications architecture clearly fails to expressly disclose and does not inherently disclose Applicant's claimed hierarchical representation of the building, which includes a floor node, a floor area node associated with the floor node, and occupant information associated with the floor area node. As a result, Applicant again respectfully requests withdrawal of claim 2 and claim 3, which depends therefrom, as allegedly being anticipated by Hunter.

With respect to claim 8, Applicant notes that the Office fails to cite any portion of Hunter as allegedly disclosing the claimed generating a hierarchical representation step. To this extent, Applicant respectfully submits that the Office has failed to present a proper rejection of claim 8 under 35 U.S.C. § 102(e) and requests withdrawal of the rejection of claim 8 and claims 9-17, which depend therefrom, as allegedly being anticipated by Hunter.

With further respect to claim 8, Applicant respectfully submits that Hunter fails to disclose, *inter alia*, the claimed obtaining a plan step. In support of its rejection, the Office cites

paragraphs 52 and 53 of Hunter as allegedly disclosing this feature. However, Applicant notes that these paragraphs, and Hunter in its entirety, do not include any discussion of a plan for a physical area. As a result, Applicant again requests withdrawal of the rejection of claim 8 and claims 9-17, which depend therefrom, as allegedly being anticipated by Hunter.

With respect to claim 18, Applicant notes that the Office cites the same portion of Hunter in rejecting this claim as cited in rejecting claim 8. To this extent, Applicant herein incorporates those arguments presented above in response to the rejection of claim 8. As a result, Applicant respectfully requests withdrawal of the rejection of claim 18 and claims 19-21, which depend therefrom, as allegedly being anticipated by Hunter.

With respect to claim 22, Applicant notes that the Office cites the same portion of Hunter in rejecting this claim as cited in rejecting claim 8. To this extent, Applicant herein incorporates those arguments presented above in response to the rejection of claim 8. As a result, Applicant respectfully requests withdrawal of the rejection of claim 22 as allegedly being anticipated by Hunter.

Still further, claim 7 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hunter. In order to establish a *prima facie* case of obviousness, the Office must show that (1) every feature is taught or suggested by Hunter; (2) Hunter or generally available knowledge suggests or motivates the modification(s); and (3) one would have a reasonable expectation of success. MPEP 2143. Because the Office fails to establish a *prima facie* case of obviousness, Applicants respectfully request withdrawal of the rejection of claim 7 for the following reasons.

Initially, Applicant notes that the Office apparently takes official notice that the claimed step of generating a summary of the statuses of a plurality of occupants is "old and well known."

(Paragraph 11 of Office Action). In support of its conclusion, the Office notes that “this is done for things such as attendance records, bills or even college schedules.” (Paragraph 11 of Office Action). However, the Office fails to provide any support that the claimed generating a summary step is known with respect to status information in general, let alone status information of a plurality of occupants of a building during an emergency event. To this extent, Applicant respectfully submits that the claimed generating step is not common knowledge or well-known in the art. Additionally, the Office fails to cite or provide any motivation for modifying Hunter to include the claimed generating step. To this extent, the Office has failed to establish a *prima facie* case that claim 7 is obviousness in view of Hunter. As a result, Applicant respectfully requests withdrawal of the rejection of claim 7 as allegedly being obvious in view of Hunter.

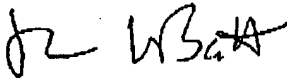
In the alternative, should the Office maintain its rejection of claim 7, Applicant requests that the Office provide some documentary evidence in support of its position that generating a summary of the statuses of a plurality of occupants is “old and well known.”

Further, Applicant herein incorporates the arguments presented above with respect to claim 1, from which claim 7 depends. As a result, Applicant again respectfully requests withdrawal of the rejection of claim 7 as allegedly being obvious in view of Hunter.

Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office’s interpretation of the claimed subject matter or Hunter used in rejecting the claimed subject matter. These features have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,



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